

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE**

Kevin Corson

v.

Civil No. 04-cv-345-JD

New Hampshire State Prison, et al.

**REPORT AND RECOMMENDATION**

On January 13, 2005, plaintiff was ordered to provide the name of the dentist defendant who has not been served or that the claim against the dentist would be dismissed. Document no. 10. After plaintiff's response the court ordered him to view his prison dental records and get the name of the dentist. See document no. 14. Plaintiff has not provided the name and no service of process has been or can be made. More than 120 days have passed since the complaint was filed. See Fed. R. Civ. P. 4(m). As a result, I recommend the complaint be dismissed without prejudice.

Any objections to this Report and Recommendation must be filed within ten (10) days of receipt of this notice. Failure to file objections within the specified time waives the right to appeal the district court's order. See Unauthorized Practice of

Law Comm. v. Gordon, 979 F.2d 11, 13-14 (1st Cir. 1992); United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986).

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James R. Muirhead  
United States Magistrate Judge

Date: June 6, 2005

cc: Kevin Corson, *pro se*